

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE
MARYLAND BOARD OF PHYSICIANS**

P.O. Box 37217

Baltimore, MD 21297

www.mbp.state.md.us

410-764-4777; 800-492-6836

APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

1. The application packet consists of the enclosed twelve forms.
2. The application fee of \$1,090.00 must be made payable to the Board of Physicians.
3. An application that is submitted to the Board of Physicians (the Board) without the correct application fee will be returned to the sender.
4. In general, the processing of an application takes from 14 to 16 weeks. Sixty days after receipt of an application, the Board will determine if an application is complete. If it is determined that the application is not complete, a status letter (notice of deficiency) will be sent to the applicant. Upon receipt, the applicant shall correct the deficiency within 60 days or other period specified in the notice.

The application will lapse if the deficiency is not corrected within the required period.

Thereafter, a new application and full application fee will be required.

5. Send your application to:

Conceded Eminence Unit

Board of Physicians

P.O. Box 37217

Baltimore, MD 21297

Any communication that is not directed to the above address and any mistake or omission in completing the forms will delay the processing of the application.

IMPORTANT NOTICES

Fee schedule

The total Conceded Eminence fee is \$1,090.00.

Social Security Numbers

Maryland law requires the Board of Physicians to collect Social Security numbers from all persons applying for their professional licenses or certificates. Disclosure of your Social Security number is mandatory. The Maryland Board of Physicians is permitted by State or Federal law or regulation to use the Social Security number for the following purposes:

1. Verification of identity with respect to actions related to your license (Code of Maryland Regulations 10.32.01.);
2. Administration of the Child Support Enforcement Program (Family Law Article, §10-119.3);
3. Identification by the Department of Assessments and Taxation of new businesses in Maryland (Health Occupations Article, §1-210);
4. Verification by the Maryland Medicaid program of licensure and sanctions for providers participating in Medicaid (42 U.S.C. §1396(a)(49); 42 U.S.C. §1396r-2; 42 U.S.C. §1320 a-7).

MARYLAND BOARD OF PHYSICIANS

P.O. BOX 37217
Baltimore, Maryland 21297

**APPLICATION FOR MEDICAL LICENSE
BY CONCEDED EMINENCE****FOR BANK USE ONLY**

DATE: ____ / ____ / 200 ____

CHECK NUMBER: _____

AMT PAID: \$ _____

NAME CODE: _____

APPID: 20

FOR BOARD USE ONLY

License No. _____

Date of Issuance: _____

Control Number: _____

Expiration Date: _____

1. Name of Applicant:

Enter your name on the appropriate line. If any of your credentials bears a name that does not completely match the name on your application, explain the name change and attach a copy of a legal document that supports/explains the change.

Surname

First Name

Middle Name

Name Under Which Originally Licensed in Another Jurisdiction, If Different From Above

2. Address

Street Address, Including Suite/Apartment Number

Town/City

State/Country

Zip Code

3. Telephone Number (including area code): _____**4. Information for Identification:**

a. Date of Birth: _____ b. Sex: _____
MM/DD/YYYY Female Male

c. Country of Birth: _____ d. SSN: _____

e. Race/Ethnicity: _____ Alaskan Native _____ Asian
_____ Black or African American _____ Caucasian
_____ Hispanic or Latin _____ Native American
_____ Other (Specify) _____

Name of Applicant: _____

5. Medical Education: Send a notarized true and unaltered copy of your medical school diploma to the Maryland Board of Physicians.

Full Name of Medical School/University

Street Address

City/County State/Country Zip Code

Date of Graduation Inclusive Dates of Attendance

Language of Instruction During the Inclusive Dates of Attendance

6. Activities After Graduation: List all the activities upon graduation from a medical school. If you use attachments, print your name and date on each page.

From/to Activity Location

7. Examination (s) Taken: Contact all the applicable agencies that have your medical licensing examination scores and ask them to send your complete medical licensing examination history and scores to the Maryland Board of Physicians (the Board).

Below is a list of medical licensing examinations. Put a check mark opposite every examination you have taken.

_____	E-ECFMG
_____	F-FLEX
_____	N-National Boards
_____	Sp-SPEX
_____	St-State Written Exam (USA)
_____	U-USMLE
_____	O-Other (Specify): _____

Name of Applicant: _____

8. Do you hold either a current or expired medical license in any state?

_____ If YES, list all states in which you have been licensed and the license numbers. (List additional states on another sheet of paper. Be sure to sign and date the sheet of paper.)

_____, # _____; _____, # _____; _____, # _____
State License # State License # State License #

9. For each question, check the appropriate box that reflects your response. For each question answered YES, attach a detailed explanation and documentation. Include copies of malpractice claims, court complaints, disciplinary actions, records and file numbers, current status, and disposition. Each attachment must bear your name and the date of submission.

YES NO

- | | | | |
|-------|-------|----|--|
| _____ | _____ | a. | Have you ever been denied an application for medical license, reinstatement, or renewal by any state licensing or disciplinary board or any comparable body in the Armed Services ? |
| _____ | _____ | b. | Has any action been taken against your license by any state licensing or disciplinary board, or any comparable body in the Armed Services, including but not limited to limitations of practice, required education, admonishment, reprimand, suspension or revocation for an act that would be grounds for disciplinary action under Md. Code Ann., Health Occ. Section 14-404? |
| _____ | _____ | c. | Have any investigations been brought against you by any licensing or disciplinary body or comparable body in the Armed Services? |
| _____ | _____ | d. | Have you ever withdrawn an application for any medical or health professional license for reasons that would be grounds for disciplinary action under Md. Code Ann., Health Occ. Section 14-404? |
| _____ | _____ | e. | Have any investigations or charges been brought against you by any hospital, related institution, or alternative health care system that might be grounds for action under Md. Code Ann., Health Occ. Section 14-404? |
| _____ | _____ | f. | Have you ever had any limitations or loss of privileges by any hospital, related health care facility or alternative health care system that might be grounds for action under Md. Code Ann., Health Occ. Section 14-404? |
| _____ | _____ | g. | Have you ever pled guilty, nolo contendere, or been convicted of, or received probation before judgement for any criminal act? |
| _____ | _____ | h. | Have you ever pled guilty, nolo contendere, been convicted of, or received probation before judgement for any alcohol or controlled dangerous substance offense, including but not limited to, driving while under the influence of alcohol or controlled dangerous substance? |

Name of Applicant: _____

YES NO

- _____ i. Have you had any arrests which would provide a basis for investigation or charges that would be grounds for disciplinary action under Md. Code Ann., Health Occ. Section 14-404?
- _____ j. Have you had any illness or condition which has impaired your ability to practice medicine within the 3 years prior to, or during the pendency of, this application?
- _____ k. Have you ever had any treatment of alcohol abuse, substance abuse or chemical dependence?
- _____ l. Have you ever been named as defendant in the filing or settling of any medical malpractice actions?

10. Malpractice History: Submit your complete malpractice history with the application form. Each page of the attachment must have your name and date of submission.

11. Driving Record: Submit your complete driving record, including but not limited to, convictions for driving while intoxicated or while under the influence of any chemical substance or medication. Each page of your driving record must have your name and date of submission.

12. Physical and/or Mental Examinations and/or Evaluation Program for Treatment of Impaired Applicant: Submit all the applicable documents. Each page of the document must have your name and date of submission.

13. Agreement, Allowance, Consent and Certification (To be signed and dated in front of a notary public).

- A. **Agreements to Cooperate and to Notify the Maryland Board of Physicians (the Board) of any action:** I agree that I will cooperate fully with any request for information, inspection of my medical practice or investigation, including the subpoena of documents on records, incident to my medical practice while licensed in the State of Maryland. I further agree to inform the Board by certified mail, return receipt requested, within 30 days of receiving notice of any action against me under Md. Code Ann., Health Occ. Sections 14-205, 14-206, 14-301, 14-302, 14-306-308, and Chapter 273 (1992).
- B. **Allowance for the Maryland Board of Physicians to Release Information That Is Not Statutorily Protected:** I allow the Maryland Board of Physicians to release information about me that is not statutorily protected.
- C. **Consent to Submit to an Evaluation:** I consent to submit to an evaluation by the Specialty Identification Committee of the Medical and Chirurgical Faculty of Maryland or other committee, to an interview, and to be subject to peer review of my practice in accordance with Md. Code Ann, Health Occ., Section 14-401(b).

Name of Applicant: _____

- D. **Certification:** I certify that the information supplied in this application is true and accurate to the best of my knowledge and belief.

Signature of Applicant

Date

14. **Notarization** (to be completed by a notary public)

_____, M.D. of

_____ being duly sworn
says that he/she is the person referred to in the above application for license to practice Medicine
and Surgery in the State of Maryland, and that all statements made in this application are true. The
attached photograph bearing my notarial seal is that of the person, here present, making the above
application. Sworn before me this _____ day of _____, 20____. My commission
expires on _____.

Signature of Notary Public

Date

Name of Notary Public in Print

APPLICANT'S
PASSPORT
PHOTOGRAPH

MARYLAND BOARD OF PHYSICIANS

P.O. Box 2571
Baltimore, MD 21215-0095

APPLICATION FOR MEDICAL LICENSURE BY CONCEDED EMINENCE

Recommendation

To: The Maryland Board of Physicians

From: _____ Dean, Johns Hopkins University School of Medicine
_____ Dean, University of Maryland School of Medicine
_____ Dean, Uniformed Services University of the Health Sciences
_____ Director, National Institutes of Health

Re: Application of _____, M.D.

Date:

I recommend Dr. _____ for a medical license by conceded
Name of Applicant

eminence and attest that the applicant will be appointed _____ at the
Title

_____, effective _____
Name of Institution Date

The applicant's proposed responsibilities will be as follows:

The reason for any limitations of those practice responsibilities are:

The degree of supervision under which the applicant will function is described below:

Signature

Name in Print and Full Title

Full Name of Institution

Telephone, including area code

SCHOOL/COLLEGE/UNIVERSITY SEAL

MARYLAND BOARD OF PHYSICIANS

P. O. Box 2571
Baltimore, Maryland 21215-0095

APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

Evidence of Teaching, Research, and Achievement

Under penalties of perjury, I attest that I possess the following qualifications:

1. Within 10 years prior to this application, I have published original results of clinical research in a medical journal listed in the Index Medicus, or in an equivalent scholarly publication and hereby submit the attached copies of these articles in English or in a foreign language with verifiable, certified translations in English.

Signature_____ Date_____

2. I have held an appointment at the level of:

- a. Associate professor at an LCME-approved medical school.

Name and Address of Medical School

for _____ years or at a medical school listed in the World Health Organization Directory,
Number

Name and Address of Medical School

for _____ years.
Number

Signature_____

_____ Date

THE NEXT PAGE OF THIS FORM MUST ALSO BE COMPLETED.

b. Full Professor at an LCME-approved medical school, _____

Name and Address of Medical School

for _____ years or at a medical school listed in the World Health
Number

Organization Directory, _____

Name and Address of Medical School

for _____ years.
Number

Signature

Date

3. Within 10 years prior to this application. I have developed a treatment modality, surgical technique, or other verified original contribution to the field of medicine, which is attested to by the dean of a medical school in Maryland or by the director of the National Institutes of Health.

Signature

Date

4. I have actively practiced medicine cumulatively for at least 15 years. Of these 15 years, _____ were spent on research while on sabbatical leave.

Signature

Date

5. I am a member in good standing of the Board of _____
_____ of the American board of Medical Specialties of other equivalent
specialty board. Attached is a copy of the applicable board certificate(s).

Signature

Date

MARYLAND BOARD OF PHYSICIANS

P.O. Box 2571
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APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

Supervision of Applicant

To: The Maryland Board of Physicians

From: The Supervising Physician

Re: Application of _____, M.D.

Date:

I am/will be the supervising physician of the applicant. The detailed description of the medical services, duties, and responsibilities that the applicant will perform are listed below.

THE NEXT PAGE OF THIS FORM MUST ALSO BE COMPLETED.

Continued from previous page

Attestation:

Under penalties of perjury, I attest that the information provided in this form is true and correct to the best of my knowledge and belief.

Signature of Supervising Physician

Date

Title of Supervising Physician

Name of Institution Where the Applicant and the Supervising Physician Will Work Together

Telephone number, including area code of supervising physician

MARYLAND BOARD OF PHYSICIANS

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APPLICATION FOR MEDICAL LICENSURE BY CONCEDED EMINENCE

Consent to Release Information

To the Maryland Board of Physicians:

I agree that any person may release to you any information necessary for the processing of my application for medical license by conceded eminence in the State of Maryland.

Signature of Applicant

Date

Name of Applicant in Print

MARYLAND BOARD OF PHYSICIANS

P.O. Box 2571
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APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

**Attestation By A Dean of Medical School in Maryland or The Director of the National
Institutes of Health**

Name of applicant:_____

Attestation:

I attest that Dr. _____ has developed:

- _____ 1. a treatment modality; and/or
- _____ 2. a surgical technique; and/or
- _____ 3. other verified original contribution(s) to the field of medicine.

Attached are the description(s) of the treatment modality and/or surgical technique and/or other verified contribution(s) to the field of medicine as well as the supporting documents.

Signature of Dean of Medical School in Maryland/Director of National Institutes of Health

Date

Name and Title in Print

Date

Telephone number, including area code

MARYLAND BOARD OF PHYSICIANS

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APPLICATION FOR CONCEDED EMINENCE

Verification of Education and English Language Instruction

Part 1 - Applicant, please complete this part of the form and send it to the institution that conferred the MD/DO on you.

Name: _____
Last name and generational indicator, if applicable First name Middle name

Birth date: _____ Social Security Number: _____
Month/date/year

Name of Institution that conferred the Medical Degree/Doctor of Osteopathy* _____

Degree received: _____ Date of Graduation: _____
Month/day/year

Inclusive date of attendance: From _____ to _____
Month/year Month/year

Signature of Applicant _____ Date _____

*If this institution is different from the medical school(s) where you obtained your medical education, write the name of your medical schools and the inclusive dates of your attendance.

Part 2 - Authorized official in the educational institution that conferred the medical degree or doctor or osteopathy on the applicant, please complete this part of the form and send it directly to the Maryland Board of Physicians at the above address.

I hereby certify that:

_____ A. The applicant graduated with a degree of _____ on _____.

_____ B. The language of instruction was _____ during the inclusive dates
of attendance: From _____ to _____.
Month/year Month/year

Name of School Official in Print

Signature of School Official

Title

SEAL OF INSTITUTION

MARYLAND BOARD OF PHYSICIANS

P.O. Box 2571
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APPLICATION FOR MEDICAL LICENSURE BY CONCEDED EMINENCE

State Board Licensure Verification

Part A: To be completed by applicant. Please complete this portion and send a copy of the form to each state board from which you have ever been issued any form of medical licensure.

Name in Print _____

Medical School of Graduation and Branch, If Applicable _____ Year of Graduation _____

State Issuing License _____ License Number _____ Date Issued _____

Licensed by: _____ FLEX _____ National Boards
_____ MCCQE _____ State Written Exam
_____ USMLE _____ OTHER (explain) _____

Any restrictions, conditions, etc., on your license to practice medicine? _____ Yes _____ No

If yes, explain _____

Present status of medical license: _____

Signature _____ Date _____

Part B: To be completed by the State Licensing Authority. Please complete this part and send this form directly to the Maryland Board of Physicians at the above address.

Licensee is: _____ in good standing _____ revoked _____ suspended _____ other

If not in good standing, reason: _____

Any negative information or pending charges: _____

Remarks: _____

Signature of Board Official Completing This Form _____ Date _____

STATE

Name in Print _____

SEAL

Name of State Medical/ Osteopathic Board _____

MARYLAND BOARD OF PHYSICIANS

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Baltimore, MD 21215-0095

APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

Documentation of Speech Impairment

Part A: To be completed by the applicant

Name of applicant: _____

Type of speech impairment claimed: _____

Onset of impairment: _____

Status of impairment: _____

Name of treating physician: _____

Name of speech pathologist: _____

Number of times the Test of Spoken English or Test of English as a Foreign Language or equivalent examination
approved by the Board has been taken to date: _____

Signature

Date

Part B: To be completed by the treating physician

History:

THE NEXT PAGE OF THIS FORM MUST BE COMPLETED.

Diagnosis, including results of specific test:

Treatment:

Current status:

Recommendation:

Signature

Date

Name in Print

Telephone number including area code

PAGE 3 OF THIS FORM MUST ALSO BE COMPLETED.

Name of Applicant: _____

Part C: To be completed by the speech pathologist

History:

Diagnosis, including tests and results:

Treatment:

Current Status:

Recommendation:

Signature

Date

Name in Print

Telephone number including area code

MARYLAND BOARD OF PHYSICIANS

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APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

Certificate of Physicians

I hereby certify that I have known _____, M.D.
for _____ years and that he/she is of good moral character and free from mental defect and
Number
drug habits likely to interfere with the proper practice of medicine and surgery. I further certify the
photograph affixed to this form is a recent one and a genuine likeness of _____
_____, M.D.

Name in Print

I have been licensed in the following state(s);

State	Status of Medical License
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signature of Physician Vouching for the Applicant

Date

Name in Print

Street Address

Town/City

State

Zip Code

MARYLAND BOARD OF PHYSICIANS

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APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

Additional Information and Requirements

1. Certificate of Physician

Send copies of the enclosed MBP Form ConEm10 07/2003 to two physicians who will vouch for your good moral character and freedom from mental defects and drug habits likely to interfere with the proper practice of medicine and surgery for completion and submission to the Board. Both physicians must hold medical licenses in the United States of America. The licenses must be active and in good standing.

2. Claim of Speech Impairment

If you wish to claim speech impairment, submit MBP Form ConEm 9 07/2003 with your application form, MBP Form ConEm1 07/2003. These documents must be submitted to the Board before your second attempt at passing the Test of Spoken English or its equivalent.

After the second examination, documentation of an impairment may not be submitted or accepted unless there has been an intervening medical/surgical event which has created the impairment. You will be allowed to claim impairment only if:

- a. This event was reported to the Board before a third examination; and
- b. The Board determines that the medical/surgical event did indeed create the impairment.

If you have properly claimed and documented a speech impairment, the Board shall request the following proof:

- a. Documentation from three licensed physicians that you can communicate in a professionally competent manner with patients and health care providers; or
- b. A hearing before the Board where you will be asked to describe the manner in which you will obtain a history and physical examination from a typical patient.

3. Competence to Practice Medicine

Request the Chief of Staff of the hospital where you practiced medicine within the 5 years preceding this application to send a letter to the Conceded Eminence Unit of the Maryland Board of Physicians (the Board) at the above address detailing your competence to practice medicine. The letter must be on official letterhead, signed and dated.

THE NEXT PAGE OF THIS FORM MUST ALSO BE READ.

4. **Competency in the English Language**

An applicant shall demonstrate oral and written competency in the English language as follows:

- a. Graduation from a recognized, English-speaking undergraduate college or university after at least 3 years of enrollment; **or**
- b. Graduation from a recognized, English-speaking professional school; **or**
- c. Achieving a score of 220 on the Test of Spoken English on tests taken before July 1995 or a score of at least 50 on tests taken beginning July, 1995; **or**
- d. Achieve a score of at least 2 or Advanced for examinations after October 1, 1994. (NOTE: A prospective OPI applicant must have an application for conceded eminence on file with the Board before OPI testing can be scheduled; **and**
- e. Achieving a score of 550 on the paper and pencils Test of English as a Foreign Language (TOEFL) or a score of at least 213 on the computer-based TOEFL; **or**
- f. A passing score on the Educational Commission for Foreign Medical Graduates (ECFMG) English test taken beginning January, 1974.

Information about the OPI, TOEFL and TSE

If you need to schedule a TOEFL or TSE examination, or to arrange for your scores to be sent to the Board, contact the Educational Testing Service by phone at 1-609-771-7100; by fax at 1-609-771-7500 e-mail at toefl@est.org or <http://www.toefl.org>.

For information about the OPI, contact the Language Testing International at 1-914-948-5100. The LTI will explain to you how to make payment for testing. Within 24-72 hours of receiving your payment, LTI can schedule your interview. Before you schedule your interview, contact the Board at 410-764-4760 or 1-800-492-6836, extension 4760 to arrange a specific date, time, and location for your telephone interview. Remember, you must have an application on file with the Board before LTI will schedule your interview.

5. **Evaluation**

The Board may require you to be evaluated by a committee of the Medical and Chirurgical Faculty of Maryland or other committee and to be interviewed. The Board may also require a peer review of your practice in accordance with Health Occupations Article, Section 14-401(b), Annotated Code of Maryland.

6. **Withdrawal**

An application may not be withdrawn if the applicant is under investigation of charges for reasons that may be grounds under Health Occupations Article, Section 14-404, Annotated Code of Maryland, if the applicant were licensed in this State.

7. **ECFMG Certification**

If applicable, please provide a copy of your ECFMG Certificate.

MARYLAND BOARD OF PHYSICIANS

P.O. Box 2571
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APPLICATION FOR MEDICAL LICENSE BY CONCEDED EMINENCE

Checklist for the Applicant

Have you:

- ☐ Completed and submitted the 5-page application form, MBP Form ConEm1 07/2003?
- ☐ Enclosed explanation of different names on your credentials and supporting legal document, if applicable?
- ☐ Enclosed a notarized true and unaltered copy of your medical school diploma?
- ☐ Attached additional sheets, with your name and date on each page, listing your activities after graduation, if applicable?
- ☐ Requested all the applicable agencies to send directly to the Maryland Board of Physicians (the Board) your complete medical licensing examination history and scores?
- ☐ Enclosed detailed explanation and documentation for each YES answer give to any of the questions under number 9, if applicable? Each page must bear your name and date.
- ☐ Enclosed your complete malpractice history, if applicable?
- ☐ Enclosed your complete driving record, if applicable?
- ☐ Enclosed your physical and/or mental examinations and/or evaluation program for treatment of impairment, if applicable?
- ☐ Sent the recommendation form, MBP Form ConEm2 07/2003, to a dean of a medical school in Maryland or the director of the National Institutes of Health for completion and submission to the Board?
- ☐ Completed and submitted the evidence of teaching, research, and achievement form, MBP Form ConEm3 07/2003?
- ☐ Attached copies of articles in English or in a foreign language with a verifiable, certified translation, if applicable? The articles must be on original results of your clinical research that have been published in a medical journal listed in the Index Medicus or in an equivalent scholarly publication.
- ☐ Attached a copy/copies of your board certificate(s), if applicable?

THE NEXT PAGE OF THIS FORM MUST ALSO BE READ

- _____ Sent the supervision of applicant form, MBP Form ConEm4 07/2003, to your supervising physician for completion and submission to the Board?
- _____ Completed and submitted the release of information form, MBP Form ConEm5 07/2003?
- _____ Sent the attestation form, MBP Form ConEm6 07/2003, to a dean of a medical school in Maryland or the director of NIH for completion and submission to the Board? The descriptions of the treatment modality and/or surgical technique and/or other verified contributions that you have made to the field of medicine as well as the supporting documents must be attached to the form.
- _____ Completed and submitted the Verification of Education and English Language Instruction form, MBP Form ConEm7 07/2003?
 - Requested the applicable agencies to submit directly to the Board your scores on the Test of Spoken English and the Test of English as a Foreign Language, if applicable?
- _____ Completed Part A of the state board licensure verification form, MBP Form ConEm8 07/2003, and sent it to each state medical board that ever issued you a license for completion and submission to the Board, if applicable?
- _____ Completed Part A of the documentation of speech impairment, MBP Form ConEm9 07/2003 and sent Part B and Part C to your treating physician and speech pathologist, respectively, for completion and submission to the Board, if applicable?
- _____ Sent the certificate of physician from, MBP Form ConEm10 07/2003, to two actively licensed physicians in the United States of America for completion and submission to this Board?
- _____ If applicable, provided a copy of your ECFMG certificate.
- _____ Read and been guided by the additional information and requirements from, MBP Form ConEm11 07/2003?

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 32 BOARD OF PHYSICIANS

Chapter 13 Physician License by Conceded Eminence

**Authority: Health Occupations Article, §§14-205, 14-206, 14-301, 14-302, 14-307—319, Annotated Code of Maryland;
Chapter 273 (1993)**

10.32.13.02

.01 Scope.

These regulations establish the qualifications for an individual to become licensed in Maryland to practice medicine by virtue of conceded eminence and authority in the profession and to set limits on the license.

10.32.13.02

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "ABMS or other equivalent specialty board" means the American Board of Medical Specialties or equivalent boards in other countries.
- (2) "Applicant" means an individual applying for initial licensure as a physician in Maryland.
- (3) "Application period" means the time between the filing of an application and the issuance of a license or denial of the application.
- (4) "Board" means the Board of Physicians.
- (5) "Conceded eminence and authority in the profession" means significant teaching, research, and achievement in a field of medicine recognized by the Board.
- (6) "Index Medicus" means an international list of periodicals concerning the practice of medicine.
- (7) "LCME" means Liaison Committee on Medical Education of the American College of Medical Education and the American Medical Association.
- (8) "LMCC" means Licentiate of the Medical Council of Canada, or its successor.

(9) "Malpractice history" means a list of claims filed against a health care provider for damage due to medical injuries as described in Courts and Judicial Proceedings Article, Title 3, Subtitle 2A, Annotated Code of Maryland, or adverse action reports made to the National Practitioner Data Bank of the federal government, or both.

(10) "Medical licensing examination results" means scores or results of examinations such as the:

- (a) Educational Commission for Foreign Medical Graduates (ECFMG), or its successor;
- (b) Federation Licensing Examination (FLEX) designed by the Federation of State Medical Boards;
- (c) National Board of Medical Examiners (NBME);
- (d) United States Medical Licensing Examination (USMLE) designed by the Federation of State Medical Boards; and
- (e) Special Purpose Examination prepared by the Federation of State Medical Boards (SPEX).

(11) "Speech impairment" means a disorder of the voice, in articulation of speech sounds, or nonfluency in the speaker's native language.

(12) "Test of Spoken English" means the Educational Testing Service examination designed to evaluate the spoken English proficiency of those whose native language is not English.

(13) "World Health Organization directory" means the World Directory of Medical Schools, an international list of recognized medical schools compiled by the World Health Organization agency of the United Nations.

10.32.13.03

.03 Qualifications for Special License by Conceded Eminence.

A. An applicant shall:

- (1) Complete an application on a form supplied by the Board;
- (2) Pay an application fee set by the Board in COMAR 10.32.01.11;
- (3) Be of good moral character; and
- (4) Be at least 18 years old.

B. Recommendations. On a form supplied by the Board, the dean of a school of medicine in the State or the director of the National Institutes of Health shall recommend the applicant to the Board, by:

- (1) Attesting to the fact that the applicant is to receive an appointment at the institution represented by the dean or director; and

(2) Presenting the Board with detailed evidence of the physician's qualifications and competence including:

- (a) The nature of the physician's proposed responsibilities,
- (b) Reasons for any limitations of the physician's practice responsibilities, and
- (c) The degree of supervision, if any, under which the physician will function.

C. Evidence of Teaching, Research, and Achievement. An applicant shall demonstrate eminence and authority in the profession by meeting at least three of the following qualifications which are necessary, but not by themselves sufficient, for licensure under this chapter:

- (1) Within 10 years before the application, have published original results of clinical research in a medical journal listed in the Index Medicus or in an equivalent scholarly publication, and have submitted these articles to the Board in English or in a foreign language with verifiable, certified translations in English;
- (2) Have held an appointment at a medical school approved by the LCME or at any medical school listed in the World Health Organization directory at the level of associate or full professor, or its equivalent, for at least 5 years;
- (3) Within 10 years before the application, have developed a treatment modality, surgical technique, or other verified original contribution to the field of medicine, which is attested to by the dean of a school of medicine in the State or by the director of the National Institutes of Health;
- (4) Have actively practiced medicine cumulatively for 15 years, which may include up to 5 years sabbatical during which the applicant was involved in research; and
- (5) Be a member in good standing of a board of the American Board of Medical Specialties or other equivalent specialty board.

D. Supervision. The Board may require an applicant to submit the name of the licensed physician who agrees to supervise the medical services performed by the applicant for the first 6 months after the license is granted, and a detailed description of the medical services, duties, and responsibilities to be performed by the applicant.

E. Additional Requirements for License by Conceded Eminence and Authority in the Profession.

(1) The Board may require additional information which includes, but is not limited to, the following:

(a) A letter from the chief of staff of any hospital where the applicant has practiced within the 5 years preceding the application for license under this chapter, detailing the applicant's competence to practice medicine;

(b) A detailed description of activities including, but not limited to, the following:

(i) Any action, by any state licensing or disciplinary board, or any comparable body in the armed services, denying an application for licensure, reinstatement, or renewal,

(ii) Any action taken against the physician's license, by any state licensing or disciplinary board, or any comparable body in the armed services, including but not limited to limitations of practice, required education, admonishment, reprimand, suspension, or revocation for an act that would be grounds for disciplinary action under Health Occupations Article, § 14-404, Annotated Code of Maryland,

(iii) Any investigations or charges brought against the physician by any licensing or disciplinary body or comparable body in the armed services,

(iv) Any medical or health professional licenses for which the physician has applied when the application was withdrawn for reasons that would be grounds for disciplinary action under Health Occupations Article, § 14-404, Annotated Code of Maryland,

(v) Any investigations or charges brought against the physician by any hospital, related institution, or alternative health care system that might be grounds for action under Health Occupations Article, § 14-404, Annotated Code of Maryland,

(vi) Any limitations or loss in privileges by any hospital, related health care facility, or alternative health care system that would be grounds for disciplinary action under Health Occupations Article, § 14-404, Annotated Code of Maryland,

(vii) Any pleas of guilty or nolo contendere, or convictions, or receipt of probation before judgment for any criminal act,

(viii) Any pleas of guilty or nolo contendere, or convictions, or receipt of probation before judgment for any alcohol or controlled dangerous substance offense including, but not limited to, driving while under the influence of alcohol or controlled dangerous substances,

(ix) Any arrests which would provide a basis for investigation or charges that would be grounds for disciplinary action under Health Occupations Article, § 14-404, Annotated Code of Maryland,

(x) Any illness or condition which has impaired the physician's ability to practice medicine within the 3 years before, or during the pendency of, the application,

(xi) Any treatment for alcohol abuse, substance abuse, or chemical dependence, and

(xii) The filing or settling of any medical malpractice actions in which the physician is, or has been, named as a defendant;

(c) Malpractice history;

(d) Driving record, including but not limited to convictions for driving while intoxicated or while under the influence of any chemical substance or medication;

(e) Medical licensing examination results;

(f) Physical or mental examinations, or both, by a physician or evaluation program for treatment of impaired physicians, or both, chosen by the Board.

(2) On forms supplied by the Board, an applicant shall:

(a) Agree to release to the Board information from other institutions and government agencies including, but not limited to, the National Practitioner Data Bank, hospitals, and other licensing bodies; and

(b) Allow the Board to release information which is not statutorily protected.

(3) An applicant for licensure under this chapter shall agree to inform the Board by certified mail, return receipt requested, within 30 days of receiving notice of any action listed in this section.

F. English Language Competency. An applicant shall demonstrate oral and written English language competency as described in Health Occupations Article, § 14-307(h), Annotated Code of Maryland. The applicant also shall demonstrate oral and written language competency as follows:

- (1) Graduation from a recognized, English-speaking undergraduate college or university after at least 3 years of enrollment;
- (2) Graduation from a recognized, English-speaking professional school; or
- (3) Achieving a score of 220 on the Test of Spoken English or equivalent score on an equivalent examination approved by the Board, and achieving a score of 550 on the Test of English as a Foreign Language or equivalent examination approved by the Board.

G. Claim of Speech Impairment.

- (1) An applicant wishing to claim a speech impairment shall submit documentation of this impairment on forms supplied by the Board.
- (2) Documentation of a speech impairment shall be submitted from a:
 - (a) Licensed physician; and
 - (b) Speech-language pathologist who is currently licensed to practice speech pathology in the United States.
- (3) Documentation should be submitted with the applicant's initial application but, in all cases, shall be submitted before the applicant's second attempt at passing the Test of Spoken English or its equivalent.
- (4) After the second examination, documentation of an impairment may not be submitted or accepted unless there has been an intervening medical/surgical event which has created the impairment.
- (5) The applicant shall be allowed to claim the impairment only if:
 - (a) This event was reported to the Board before a third examination; and
 - (b) The Board determines that the medical/surgical event did indeed create the impairment.
- (6) If an applicant has properly claimed and documented a speech impairment, the Board shall grant a license if the applicant is able to prove the ability to communicate with allied health personnel and patients. The Board shall request the following proof:
 - (a) Documentation from three licensed physicians that the applicant can communicate in a professionally competent manner with patients and health care providers; or
 - (b) A hearing before the Board where the applicant is asked to describe the manner in which the applicant would obtain a history and physical examination from a typical patient.

H. Evaluation. The Board may require that an applicant under this chapter be evaluated by the Specialty Identification Committee of the Medical and Chirurgical Faculty of Maryland or other committee, and may require that the applicant be interviewed and be subject to peer review of the applicant's practice in accordance with Health Occupations Article, § 14-401(b), Annotated Code of Maryland.

I. Withdrawals. An application may not be withdrawn if the applicant is under investigation or charges for reasons that may be grounds under Health Occupations Article, § 14-404, Annotated Code of Maryland, if the applicant were licensed in this State.

10.32.13.04

.04 Limited Practice.

An applicant for licensure is restricted so that the applicant shall:

- A. For the first 6 months, practice medicine only within the institutions and programs specified within the application;
- B. Following the first 6 months, practice medicine only at an institution similar to that named in the original application and after approval by the Board; and
- C. Practice medicine under any conditions which the Board may set.

10.32.13.05

.05 Unrestricted License.

Nothing in these regulations entitles an individual licensed by conceded eminence in the profession to practice beyond the scope of these regulations without having qualified for an unrestricted license under Health Occupations Article, § 14-307 or 14-308, Annotated Code of Maryland, and regulations promulgated under those sections.

10.32.13.06

.06 Term and Renewal of License by Conceded Eminence and Authority in the Profession.

A. Term and Tenure.

- (1) The initial license is active for a period of 6 months, and, after that, for 2 years or for another term established by the Board.
- (2) Unless the Board has been advised and approves of an appointment at a new institution, a license issued under this regulation expires immediately when an individual leaves the appointment at the sponsoring institution.

B. Renewal. A license issued under this regulation may be renewed every 2 years on a date set by the Board and as specified in COMAR 10.32.01.

10.32.13.07

.07 Licensure Required.

Practicing medicine beyond the scope of these regulations, including practicing without notifying the Board and without approval of the Board at any institution or place outside the institution approved by the Board, constitutes practicing without a license under Health Occupations Article, § 14-404(a)(3), Annotated Code of Maryland.

10.32.13.08

.08 Termination and New Appointment.

A. Duty to Inform of Termination. Failure to inform the Board of the termination of an appointment within 30 days constitutes unprofessional conduct under Health Occupations Article, § 14-404(a)(3), Annotated Code of Maryland.

B. New Appointment. An individual licensed under this chapter may not begin a new appointment without the approval of the Board.